

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 250

9:00 a.m.

April 25, 2018

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Director
Kadee Wright, Chief Investigator
Justin Barney, Hearing Officer
Allen McNeil, Real Estate Analyst
Elizabeth Harris, Assistant Attorney General
Che Arguello, Assistant Attorney General
Amber Nielsen, Board Secretary
Kendelle Christiansen, Education Coordinator
Craig Livingston, Investigator

BOARD MEMBERS PRESENT:

John Ulibarri, Chair
Jeffrey T. Morley, Vice Chair
Jim Bringhurst, Board Member
Richard Sloan, Board Member
Keven Ewell, Board Member

The April 25, 2018 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Vice Chair Morley conducting. Chair Ulibarri participated in the meeting via teleconference.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes –

A motion was made and seconded to approve the March 28, 2018 minutes as written. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

A motion was made and seconded to approve the February 28, 2018 minutes as written. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes. The motion passes.

Public Comment Period – No public comment was given.

DIVISION REPORTS

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart on the National Registry Fee requirement for AMCs. He reported the date open changed from June 4th to no later than July 16th. He reported the fee is \$25 per appraiser who completed an assignment. The Board discussed the requirements. Director Stewart asked for input on when the Division should start collecting the fee and how to implement the collection. He suggested possibly collecting fees in 2019 and collecting for one year at renewal, then starting in 2020 begin collecting for every two years at renewal. The Board discussed the possible scenarios for collection further. They will consider this and make a decision at a later meeting. Director Stewart reported Mr. Barney is working on rules. The Division will put alerts for the requirement in upcoming newsletter alerting AMCs of the requirement in advance.

Director Stewart reported a bank asked the Appraisal Subcommittee to waive the requirement for having an appraiser on in Nashville stating there was no availability of the single Certified General Appraiser in their area. The ASC investigated the matter and found there were actually plenty of appraisers certified and competent to do the work in the are and denied the request for waiver.

ENFORCEMENT REPORT – Kadee Wright

Ms. Wright reported in March the Division received 5 complaints; opened 5 new cases; closed 1 case; leaving 24 appraisal cases open with the Division. There are a total of 3 cases now with the AG's office.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren presented lists of individuals who were approved for licensing by the Division since the last meeting. Additionally, he presented some lists for consideration by the Board.

Certified and Licensed Appraiser Applicants Approved by both the Education and Experience Review Committees

Matthew Dyreng, LA Candidate
Jared Bailey, CR Candidate
Amanda Pearson, CR Candidate

Certified and Licensed Appraiser Applicants Approved by the Education Review Committee Recommended to be denied by the Experience Review Committee

Nathan Kingsford, LA Candidate
Tyler McIntosh, LA Candidate

Discipline List for Board's Consideration

Benjamin Travis, AMC Control Person

Jennifer Bennett-Taufa, LA Renewal Application

Mr. Fagergren also discussed the Division's proposal to adopt a RAP Back feature on fingerprinting. There was a discussion on the current finger printing requirements and some possible implementation options. The Board asked that the Division provide more information on the history of fingerprinting including when fingerprinting first was required.

BOARD AND INDUSTRY ISSUES

Mr. Fagergren stated he was hopeful that the Board would adopt the rule changes which will be presented which address the AQB Minimum Standards changes. He mentioned there are many individuals who are attempting to apply and who are in a limbo awaiting the decision on the requirements. He stated the Division is attempting to minimize delays for the applications. Vice Chair Morley asked if having more reviewers would have with the delay. Mr. Fagergren said having more reviewers could not hurt. Ms. Wright stated they should mention a need for more reviewers at the upcoming Caravan presentations. Mr. Fagergren also discussed giving priority to individuals who are applying under the old qualifications before the new requirements are adopted.

Mr. Barney reported after the last meeting the committee met to discuss the areas where Utah currently exceeds the new AQB minimum standards. He stated members of the Board sent suggested changes. He reported the suggested changes from the committee and board were added to a rule change which was sent to the Board. The Board discussed the rule changes. A motion was made and seconded to move forward with the rule amendment and to publish the proposed amendment to public comment. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes.

Mr. Barney reported the AMC rule amendment will be filed by the next meeting. He reported there is a heightened level of fiscal analysis which is required prior to filing a rule change, which is causing a delay in the filing.

A motion was made and seconded to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

CLOSED TO PUBLIC

An Executive Session was held from approximately 10:07 a.m. to 10:13 a.m.

OPEN TO PUBLIC

Results of Executive Session

Certified and Licensed Appraiser Applicants Approved by both the Education and Experience Review Committees

Matthew Dyreng, LA Candidate – Approved
Jared Bailey, CR Candidate – Approved
Amanda Pearson, CR Candidate – Approved

Certified and Licensed Appraiser Applicants Approved by the Education Review Committee Recommended to be denied by the Experience Review Committee

Nathan Kingsford, LA Candidate – Denied
Tyler McIntosh, LA Candidate – Denied

Discipline List for Board's Consideration

Benjamin Travis, AMC Control Person – Approved
Jennifer Bennett-Taufa, LA Renewal Application – Approved

Following the results of the executive session, the Board meeting resumed with Che Arguello conducting the annual training by the Assistant Attorney General's Office on Administrative and Hearing Procedures.

A motion was made and seconded to adjourn the meeting. Vote: Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes. The meeting adjourned at approximately 10:52 a.m.